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Attorneys for Defendant

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

TERRY MARTINEZ,  
Plaintiff,  
v.  
KILOLO KIJAKAZI,  
Acting Commissioner of Social Security,<sup>1</sup>  
Defendant.  
Case No.: 2:21-cv-01129-NJK  
STIPULATION TO VOLUNTARY  
REMAND PURSUANT TO SENTENCE  
FOUR OF 42 U.S.C. § 405(g) AND TO  
ENTRY OF JUDGMENT FOR  
PLAINTIFF

IT IS HEREBY STIPULATED by and between the parties, through their undersigned attorneys, and with the approval of the Court, that this action be remanded for further administrative action pursuant to the Social Security Act § 205(g), as amended, 42 U.S.C. § 405(g), sentence four.

On remand, the Appeals Council will remand the case to an administrative law judge (ALJ) for

<sup>1</sup> Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi should be substituted, therefore, for Andrew Saul as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

1 a new decision.

2 The parties further request that the Clerk of the Court be directed to enter a final judgment in  
3 favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.

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5 Dated: October 20, 2021

Respectfully submitted,

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ROHFLING & KALAGIAN, LLP

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*/s/ Marc V. Kalagian*

MARC V. KALAGIAN

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(\*as authorized via email on October 19, 2021)

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Attorney for Plaintiff

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Dated: October 20, 2021

Respectfully submitted,

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CHRISTOPHER CHIOU

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Acting United States Attorney

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*/s/ Allison J. Cheung*

ALLISON J. CHEUNG

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Special Assistant United States Attorney

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Attorneys for Defendant

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The Clerk's Office is further  
INSTRUCTED to close this case.

IT IS SO ORDERED:

  
HON. NANCY J. KOPPE  
UNITED STATES MAGISTRATE JUDGE

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DATED: October 20, 2021

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